

ADVISORY OPINION 92-007

Any advisory opinion rendered by the registry under subsection (1) or (2) of this section may be relied upon only by the person or committee involved in the specific transaction or activity with respect to which the advisory opinion is required. KRS 121. 135(4).

October 19, 1992

Ms. Carol C. Darr
General Counsel
Democratic National Convention
430 South Capitol Street, N.E.
Washington, D.C. 20003

RE: Advisory Opinion Request

Dear Ms. Darr:

Your question is whether or not the Democratic National Committee ("DNC") can transfer funds to the Kentucky Democratic Party (the "KDP") for use in connection with the election of candidates to **federal office**, even through the DNC is incorporated for liability purposes?

In general, we agree with your position that the DNC may give money to the KDP for the KDP to use in connection with the election in Kentucky of candidates to **federal office**. As you state, the prohibition against corporate contributions found in KRS 121.025 and 121.035 applies to candidates running for state and local office in the Commonwealth of Kentucky. {See also the definition of candidate found in KRS 121.015, (also your citation)}. Your question deals with a federal candidate running for a federal office. Thus, comment on any other points of law raised in your letter is unnecessary here; and this opinion does not address any of those other points.

We agree with you and emphasize that any funds given to the KDP by the DNC for federal candidates must be kept in a separate federal account. This opinion is based on the course of action outlined in your letter. Any deviation from the facts and course of action outlined in your letter will invalidate this opinion.

Thank you. If you should have any more questions, please give us a call.

Sincerely,

Timothy E. Shull
General Counsel

TES:llh

